

Vice Mayor André Higginbotham called a regular monthly meeting of the Amherst Town Council to order on November 8, 2017, at 7:00 P.M. in the Council Chambers of the Town Hall at 174 S. Main Street. Council members Kenneth S. Watts, Kenneth G. Bunch, Mark A. Stinnett, and Rachel A. Carton were present. Mayor D. Dwayne Tuggle was absent. Interim Town Manager Peter Huber, Town Attorney W. Thomas Berry, Office Manager Tracie Wright, and Interim Police Chief Greg Harler were present.

Recitation of the Pledge of Allegiance to the Flag was followed by an invocation given by Rachel A. Carton.

Vice Mayor André Higginbotham opened the floor for citizen comments. No comments were made.

It was noted by André Higginbotham that Kenneth G. Bunch was duly elected on November 7, 2017, to fill the term on Town Council ending December 31, 2018.

Vice Mayor André Higginbotham recognized Robert A. Shiflett, II, as the new Police Chief for the Town of Amherst appointed by Council on November 1, 2017, who will begin full time with the department on November 27, 2017.

Following a report by Interim Town Manager Peter Huber, a duly advertised public hearing on the rezoning request by Matthew Hines, on behalf of Blue Ridge Realty Holdings, would, if approved, rezone 4.92 acres of land at 258 S. Main Street (TM#96A4-A-49&50 adjacent to Wells Fargo Bank), from General Residential District R-2 to Central Business District CBD, was opened at 7:14 P.M.

Matthew Hines was not present although indicated to Interim Town Manager Huber that he was available by phone for questions.

Cliffard Hart, 219 Garland Avenue, Amherst, VA, came forward with a question concerning the possible construction of a cul-de-sac. Mr. Watts explained that VDOT no longer allows cul-de-sacs to be constructed where none exists.

Rachel Thompson, 268 S. Main Street, Amherst, VA, came forward in opposition to the rezoning request with the following concerns: Mr. Hines' absence at each of the publicized public hearings; the plans are not completely fleshed out; VDOT is not interested in looking at it; an environmental concern of runoff into the creek; rumored (without documentation) low income housing risk due to state grant availability; once rezoned to CBD a redesign is possible even with a variance placed on property; and, Council should want more information prior to a positive vote on the request.

Darryl Spradley, Amherst, VA, came forward and responded that he has the same concerns stated by Rachel Thompson.

There being no one else present who wished to speak on the matter, the public hearing closed at 7:17 P.M.

After discussion, Mr. Bunch made a motion that was seconded by Mr. Watts, and carried 5-0 to deny the rezoning request by Matthew Hines, on behalf of Blue Ridge Realty Holdings to rezone 4.92 acres of land at 258 S. Main Street (TM#96A4-A-49&50 adjacent to Wells Fargo Bank), from General Residential District R-2 to Central Business District CBD, and invite Mr. Hines to submit a request on behalf of Blue Ridge Realty Holdings that would, if approved, rezone 4.92 acres of land at 258 S. Main Street (TM#96A4-A-49&50 adjacent to Wells Fargo Bank), from General Residential District R-2 to R-3,

together with more information on the project. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch, and Stinnett voted "Aye."

Discussion on a request received from Ms. Beverly Brown for permission for her Gifted Education Class to add a small World War I memorial to the Town's mini park was deferred to the December meeting.

Amy Gallagher from Davis Doyle & Hilton came forward to present her audit of the Town's FY17 financial records. It was agreed that acceptance of the audit report would follow a close review by the Town Councilors and reports from staff.

Gary Christie and Ben Bowman from Region 2000 Local Government Council came forward to give that agency's annual activity report; to discuss its role in regional workforce development; and to answer questions and request endorsement for support on funding for GO Virginia.

Becky Cash, Lead Water Treatment Plant Operator, presented Lead and Copper reports in the Town of Amherst.

After discussion, Mr. Watts made a motion that was seconded by Mrs. Carton, and carried 5-0 to provide free testing by the Town on a first-come, first-serve basis to Amherst Town residents owning a home built or replumbed with copper pipes between 1983 and 1986, such requests for testing by the Town to be made from the owners of properties meeting these criteria not later than 5 p.m. on Monday, November 27, 2017. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch, and Stinnett voted "Aye."

Mr. Watts made a motion that was seconded by Mrs. Carton and carried 5-0 that the following items contained in the Consent Agenda be approved:

1. Minutes – October 11, 2017, Regular Meeting; and November 1, 2017, Special meeting;
2. Public Hearing to be held at the next Council meeting on December 13, 2017, on a proposal by Waukeshaw Development, to rezone 7.17 acres of land at 140 Union Road (TM#96A7-A – 26-29) otherwise known as the Old Mill property, from General Residential District R-2 to General Business B-2. Rezoning was recommended by the Planning Commission after holding a public hearing on this proposed rezoning request at their November 1, 2017 meeting.
3. Expenditure of \$7,106 for purchase and installation of Sewer Flow Meter in the manhole where sewer flow is being received from Sweet Briar College, as recommended by staff.
4. Train Station Site Plan Revision for installation of a butterfly garden by the Lynchburg Garden Club involving no financial participation by the Town, as recommended by staff.
5. Authorize Amherst County to use the Town's bucket truck, unless otherwise in use by the Town, in order to install approximately 100 banners mounted to the side of existing power and streetlight poles in the Madison Heights area, as recommended by staff.

6. Authorize Interim Town Manager Peter Huber to hire Greg England, Inspector, to conduct a careful review of the current Main Street Waterline for the purpose of confirming the accuracy of water system as-built mapping, at the rate of \$40 per hour (maximum \$200), as recommended by Interim Town Manager Huber.
7. Allow carry-over of expenditure in the amount of \$13,981.28 from the FY2016-17 fiscal year to the FY2017-18 fiscal year, as recommended by staff, to include the following:
  1. Town Hall Surveillance System-\$2,314.94;
  2. Purchase/Install firewall internet security devices for WTP and WWTP-\$3667.98;
  3. Purchase two base stations/6 headsets for public works crew-\$7,998.36.
8. Recognition of Proclamation Declaring October as Domestic Violence Awareness Month in the Town of Amherst as prepared by Vicki Hunt and presented to YWCA by Mayor Tuggle.
9. Authorize interested Town employees to host “Pictures with Santa” event to be held on December 1, 2017, at the Town Hall building, including purchase of candy canes and/or small cost item giveaways, and advertisement of the event, as recommended by staff.

Mrs. Carton and Messrs. Higginbotham, Watts, Bunch, and Stinnett voted “Aye.”

A motion was made by Mr. Stinnett, seconded by Mrs. Carton, and carried 5-0, to allow use of Request for Proposal (RFP) to solicit sealed proposals to establish a contract through competitive negotiation for Banking Services for the Town of Amherst. Mrs. Carton and Messrs. Higginbotham, Watts, Bunch, and Stinnett voted “Aye.”

By consensus Interim Town Manager Huber is authorized to contract with Bryant Electric in the amount of \$1,350 for purchase/install of three RAAB Slim Series LED wall packs along the west side of the Town Hall building in the amount of \$1,350; and additional electrical work for track light, Cat 5 E Cable to Hallway Fax and Police Dept. Office, Council Room HDMI connection/ power for flat screen, and shift buzzer location in the amount of \$610, as recommended by staff.

Interim Town Manager Peter Huber gave an oral report on receipt of Town Manager applications (19) to date.

In the matter of the rezoning request by Matthew Hines, on behalf of Blue Ridge Realty Holdings to rezone 4.92 acres of land at 258 S. Main Street (TM#96A4-A-49&50 adjacent to Wells Fargo Bank), it was agreed that in the event Mr. Hines resubmits his request to rezone from R-2 to R-3 that the application fee will be waived as to the resubmitted request.

Vice Mayor André Higginbotham opened the floor to citizen comments.

Clifford Hart, 219 Garland Avenue, Amherst, VA, came forward to state his concerns about potential traffic hazard due to loss of lane and suggested use of signage and better striping; to offer assistance in discussions with Mr. Hines about his site plans in the event he is interested in resubmitting his rezoning request so that it may be better presented to council and the citizens.

Mr. Watts made the following motion, which was seconded by Mrs. Carton and carried 5-0 with Mrs. Carton and Messrs. Higginbotham, Bunch, Stinnett and Watts voting in favor: I move that the Town Council go into closed session per §2.2-3711A.1 and A7 of the Code of Virginia as related to discussion of the hiring of the new town manager and consultation with legal counsel regarding the preservation of existing growth area boundaries.

Mr. Watts made the following motion, which was seconded by Mrs. Carton and carried 5-0 with Mrs. Carton and Messrs. Higginbotham, Bunch, Stinnett and Watts voting in favor: I move that the Town Council return to open session.

Mr. Watts made the following motion, which was seconded by Mrs. Carton and carried 5-0 on a roll call vote with Mrs. Carton and Messrs. Higginbotham, Bunch, Stinnett and Watts voting in favor certifying that to the best of each councilors' knowledge that (i) only public business matters lawfully exempted from open meeting requirements under Title 2.2, Chapter 37 and §15.2-2907 of the Code of Virginia and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered in the session.

There being no further business, the meeting adjourned on a motion by Mr. Watts seconded by Mrs. Carton.

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Andrá Higginbotham  
Vice Mayor

Attest: \_\_\_\_\_  
Clerk of Council